



Entered on Docket  
November 06, 2008

A handwritten signature in cursive script, reading "Bruce A. Markell".

Hon. Bruce A. Markell  
United States Bankruptcy Judge

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1 UNITED STATES BANKRUPTCY COURT  
2 DISTRICT OF NEVADA

3 In re:

4 JOHN L. SMITH,

5 Debtor.

Bankruptcy No.: 07-16504-BAM

Chapter 7

Adversary Proceeding No. 08-01012-BAM

6  
7 SHELDON G. ADELSON

8 Plaintiff,

9 v.

10 JOHN L. SMITH

11 Defendant.

**ORDER OF DISMISSAL WITH  
PREJUDICE**

12  
13 **ORDER**

14 Plaintiff having moved the Court to dismiss his complaint with prejudice pursuant to FRCP  
15 41(a)(2), after hearing,

16 IT IS HEREBY ORDERED:

- 17 1. Adversary proceeding number 08-01012 is dismissed with prejudice.
- 18 2. Plaintiff shall dismiss, as against Defendant John L. Smith only, Case No. SC087820  
19 in the Superior Court of the State of California, County of Los Angeles, in accordance  
20 with the Request for Dismissal attached hereto as Exhibit "A."
- 21 3. In light of Plaintiff's voluntary dismissal with prejudice, Defendant is deemed the  
22 prevailing party in both cases.
- 23 4. Pursuant to Fed. R. Civ. P. 54, Plaintiff shall pay to defense counsel's client trust  
24 account(s) an amount to be stipulated by the parties or otherwise ordered by this  
25 Court as Defendant's costs incurred in Adversary Proceeding No. 08-01012.
- 26  
27  
28

1 Submitted By:

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**EXHIBIT A**

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Code of Civil Procedure, § 581 et seq.;  
Cal. Rules of Court, rule 3.1390